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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,719	12/05/2003	Amr Hassan O'Baid	10467.63US01	2661

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EXAMINER

DOERRLER, WILLIAM CHARLES

ART UNIT	PAPER NUMBER
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3744

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Drawings

Figure s 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Both of the above claims claim "the fourth section". Claim 2, from which they both depend does not claim a fourth section, thus claims 10 and 11 lack clear antecedent basis. It is believed that both claims should depend from claim 3.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,8,9 and 12-19 are rejected under 35 U.S.C. 102(b) as being anticipated by the '247 Japanese reference from the IDS.

The '247 Japanese reference discloses a housing 5 which is of one piece construction and contains the heat exchanger 13, displacer piston 8 and the bottom of the prime mover 15. In regard to claims 2,8,9,14 and 15, dividing the cylinder 5 into portions containing parts and transition portions is seen as arbitrary. Since the heat exchanger, displacer and a portion of the prime mover are within the housing, the sections containing them and "transition" sections are seen as being present since there is no structure defining these sections.

Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Strasser. Strasser shows a housing for a cryocooler which is drawn (claim 2 of Strasser), machining the cylinder (column 4 lines 6-10) and installing a piston 8 and a flange 5 to the housing. No part of the prime mover is covered by the housing, but this has not been claimed.

Allowable Subject Matter

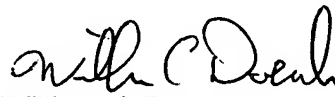
Claims 3-7 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10 and 11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Doerrler whose telephone number is (571) 272-4807. The examiner can normally be reached on Monday-Friday 6:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William C Doerrler
Primary Examiner
Art Unit 3744

WCD